

18.08.2022

Present : Sh. G.D. Kaushik, Ld. Counsel for petitioners.
Sh. Arun Sharma, Ld. Counsel for R-1
Sh. Ankit, Ld. proxy counsel for R-2.
Sh. Subhash, Ld. proxy counsel for R-3 / insurer.

Respondent No.1 has not complied with the order dated 20.11.2021 for furnishing the details / his driving licence. He is directed to comply the said directions by the next date.

Heard. File perused. On the basis of pleadings and supporting documents, following issues are framed:-

- (i) Whether Kajal, daughter of petitioner No.1 and sister of petitioner No.2 died in a motor vehicular accident happened on 08.07.2020 at 06.00 p.m., at Crown Plaza Hotel, near Metro Station, Mayur Vihar Phase-1, Delhi, within jurisdiction of PS Mayur Vihar Phase-1, due to rash and negligent driving of motorcycle bearing registration No. **DL-13SX-3963** driven by respondent No. 1 / Sidharth ? (OPP)*
- (ii) Whether there was a breach of terms and conditions of insurance policy as the respondent No.1 / driver of offending vehicle was not holding valid and effective driving licence at the time of accident? (OPR-3)*
- (iii) Whether the petitioners are entitled to compensation on account of said death and if yes, to what extent and from whom? (OPP)*
- (iii) **Relief.***

List of witnesses be filed within four weeks. Steps be taken for summoning of the witnesses within four weeks. Copy of the affidavits be supplied in advance to counsel for the respondents against acknowledgment in writing.

To come up for PE on **08.12.2022**.

(Rajrani)
PO MACT (East)/KKD
Delhi/18.08.2022